

and be in force from and after its passage, and it is so enacted.

Senate Chamber,  
Austin Texas, Aug. 21, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on State Affairs recommend the passage of Simple Resolution No. 25 changed so as to read as follows:

#### Committee Substitute.

Whereas, During the First Called Session of the Thirty-fifth Legislature Wilbur P. Allen's appointment as Regent of the University of Texas was confirmed by the Senate; and

Whereas, Before said confirmation, the said Wilbur P. Allen, in person and through his agents and friends, advised various members of this body that, if confirmed, he would not favor the discharge of any instructor in the University of Texas without giving such person a fair, complete and impartial hearing; and

Whereas, Because and by reason of these and sundry other statements the said Wilbur P. Allen was confirmed; and

Whereas, Said statements and promises made by said Allen were not carried out and kept; and

Whereas, He received his confirmation because of said statements and representations, and the Senate is of opinion that said Allen has not kept faith with the Senate; therefore, be it

Resolved, By the Senate of the State of Texas, that said Wilbur P. Allen secured his confirmation as Regent as the result of such statements made by and through him and his friends and agents, with his approval, and that it is the sense of this body that he should resign at once.

McCOLLUM, Chairman.

#### FOURTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Wednesday, Aug. 22, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Henderson.
Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.

Absent.

Parr. Strickland.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

#### Excused.

Senator Parr was excused for today on account of important business, on motion of Senator Bee.

#### Petitions and Memorials.

There were none today.

#### Committee Reports.

See Appendix.

#### Concurrent Resolution No. 3.

Whereas, The long continued drouth in the western portion of the State during the past two years has imposed burdens so onerous upon the people that it is deemed wise that the payment of interest due and soon to become due to the school fund may be postponed to the advantage of the State, the school fund and the owners of the land; and

Whereas, The Commissioner of the General Land Office, has heretofore under similar conditions exercised a discretion in postponement of the payment of interest until conditions improved and it appearing that such postponement was for the best interest of all concerned; now, therefore, be it

Resolved, By the Senate of the

State of Texas, the House of Representatives concurring:

First. The Commissioner of the General Land Office is hereby authorized to use such discretion in the postponement of forfeitures of sales of school land for non-payment of interest as to his judgment may seem best, and especially is he authorized to defer forfeiting sales on which interest is due to November 1, 1915.

Second. It is the sense of the Senate and House of Representatives that the discretion heretofore exercised by the Commissioner of the General Land Office in the matter of deferring forfeitures of the sales of school land for non-payment of interest on account of severe drouths in the school land territory was sound, wise and greatly to the interest of the State, the school fund and the owners of the land; and we hereby commend him for said acts.

DAYTON,  
HUDSPETH,  
HENDERSON.

The resolution was read and adopted by the following vote:

Yeas—27.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Clark.	McCollum.
Dayton.	Page.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.
Henderson.	

Nays—1.

McNealus.

Absent.

Caldwell.

Parr.

Morning call concluded.

#### Simple Resolution No. 21.

(Pending.)

The Chair laid before the Senate Simple Resolution No. 21, requesting the Governor to submit for consideration the repeal of acts creating normals and other State schools passed

at the Regular Session of this Legislature. (See pages 28 for the resolution in full and page 41 for the committee substitute for same.)

The question being upon the adoption of the substitute amendment offered by Senator Bailey for the pending amendment by Senator Bee. (See the Journal of yesterday for both amendments.)

The substitute was adopted.

The amendment as substituted was then adopted.

Senator Bee moved to rescind the vote by which the substitute amendment was adopted.

Senator McNealus moved as a substitute to reconsider the vote by which the amendment as substituted was adopted.

Senator Alderdice moved to table the motion to reconsider and this motion prevailed by the following vote:

Yeas—17.

Alderdice.	Hall.
Bailey.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Clark.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Floyd.	Suiter.
Gibson.	

Nays—12.

Bee.	Hudspeth.
Caldwell.	McCollum.
Dayton.	McNealus.
Harley.	Page.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Parr.

Senator Hudspeth offered the following amendment:

Amend the committee report on Simple Resolution No. 21 by striking out wherever it occurs the words "Sul Ross Normal."

Senator Floyd moved the previous question on the adoption of the amendment and the adoption of the committee substitute for Simple Resolution No. 21. The motion being duly seconded, the main question was ordered.

Action recurred on the pending amendment and the same was lost by the following vote:

## Yeas—12.

Bailey.	Hudspeth.
Bee.	Lattimore.
Clark.	McCollum.
Hall.	Page.
Harley.	Westbrook.
Henderson.	Woodward.

## Nays—15.

Alderdice.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	McNealus.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Floyd.	Suiter.
Gibson.	

## Absent.

Caldwell. Johnston of Harris

## Absent—Excused.

Parr.

Action then recurred upon the committee substitute resolution No. 21, and the same was adopted by the following vote:

## Yeas—16.

Alderdice.	Hall.
Bailey.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris
Buchanan of Scurry.	McNealus.
Dayton.	Page.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Suiter.

## Nays—11.

Bee.	Lattimore.
Caldwell.	McCollum.
Gibson.	Strickland.
Harley.	Westbrook.
Henderson.	Woodward.
Hudspeth.	

## Absent.

Hopkins.

## Pair Recorded.

Senator Clark (present), who would vote "yea"; Senator Parr (absent), who would vote "nay."

Senator Alderdice moved to reconsider the vote by which the committee substitute resolution No. 21 was adopted and table that motion.

The motion to table prevailed.

## Reason for Vote.

I vote "nay" because two schools,

to wit, the John Tarleton College and the Commerce College were eliminated from the resolution and I am in favor of repealing the laws creating all the schools.

STRICKLAND.

## Messages from the Governor.

The Chair here laid before the Senate the following messages from the Governor received today.

The messages in full are as follows:

Governor's Office,  
Austin, Texas, Aug. 22, 1917.

To the Thirty-fifth Legislature in Second Called Session:

At the request of Honorable C. M. Beard, I submit for your consideration a bill, hereto attached, being an Act to amend Chapter 37, Acts of the Thirty-fifth Legislature, First Called Session, being an Act creating the Smyrna Common School District No. 43, of Milam county, Texas, etc.

Respectfully submitted,

JAMES E. FERGUSON.

Governor of Texas.

Governor's Office,  
Austin, Texas, Aug. 22, 1917.

To the Thirty-fifth Legislature in Second Called Session:

At the request of Honorable Eugene Nordhaus and others, I submit for your consideration a bill, hereto attached, being an Act to amend Chapter 105 of the Acts of the Regular Session of the Twenty-ninth Legislature, being an Act to prevent the diversion of electric current, water or gas, etc.

And at the request of Honorable French Spencer, I submit for your consideration a bill, hereto attached, being an Act creating the Bridgeport Independent School District in Wise county, Texas, etc.

Respectfully submitted,

JAMES E. FERGUSON.

Governor of Texas.

## Simple Resolution No. 27.

Senator Dayton called up from the table and the Chair laid before the Senate Simple Resolution No. 27 as follows:

Whereas, Because of the state of war existing between the United States government and her allies and

the imperial German government and her allies, it became necessary for the Congress of the United States to create the National Board of Food Control with authority, among other things, to regulate prices of farm products; and

Whereas, It is feared that this will be disastrous and injurious to the farmers of this State, at least in a large measure, to place a maximum price on farm products; therefore, be it

Resolved, By the Senate of Texas, that the United States food commission and the authorities in control at Washington, be earnestly requested to refrain from placing maximum prices on such farm products, in so far as they can, consistent with the administration's policies at Washington.

The resolution was read and Senator Bailey offered the following amendment which was read.

Amend the resolution by inserting after the words "farm products" the words "and specially cotton."

Senator Westbrook moved to refer the resolution and amendment to the Committee on Agricultural Affairs.

Senator McNealus moved to table the motion to refer and the motion to table prevailed.

Senator Henderson offered the following substitute for the pending resolution and amendment thereto:

#### Substitute.

Resolved, That the Senate of Texas has unlimited confidence in the judgment, patriotism and wisdom of President Wilson and his advisors in the matter of handling the affairs of the government during the present national and international crisis.

Be it further resolved that a copy of this resolution be wired by the Secretary of the Senate to the President of the United States.

HENDERSON.

Senator Bailey made the point of order that the substitute is not germane to the original resolution in that it has an entirely different purpose.

The point of order was overruled.

Senator Dean moved the previous question on the adoption of the substitute resolution, which being duly seconded, the main question was ordered.

The substitute was adopted by the following vote:

Yeas—25.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McNealus.
Dean.	Page.
Decherd.	Robbins.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.
Henderson.	

Nays—1.

Dayton.

Present—Not Voting.

Buchanan of Bell.

Absent.

McCollum. Smith.

Absent—Excused.

Parr.

The resolution as substituted was then adopted.

#### Resolution Signed.

The Chair, Lieutenant Governor Hobby, gave notice of signing and did sign in the presence of the Senate, after the same had been read, the following:

S. C. R. No. 2 inviting Hon. J. T. Heflin, member of Congress from Alabama to address a joint session of the Senate and House Thirty-fifth Legislature.

(Senator Dean in the chair.)

#### Adjournment.

At 11:50 o'clock a. m. Senator Hudspeth moved that the Senate adjourn until 10 o'clock tomorrow morning and the motion prevailed by the following vote:

Yeas—19.

Alderdice.	Hall.
Bailey.	Harley.
Bee.	Henderson.
Buchanan of Scurry.	Hopkins.
Caldwell.	Hudspeth.
Clark.	McCollum.
Dayton.	Strickland.
Dean.	Westbrook.
Floyd.	Woodward.
Gibson.	

Nays—7.

Buchanan of Bell. McNealus.  
Johnson of Hall. Page.  
Johnston of Harris. Suiter.  
Lattimore.

Absent.

Dechard. Smith.  
Robbins.

Absent—Excused.

Parr.

#### APPENDIX.

##### Committee Report.

Committee Room,  
Austin, Texas, Aug. 21, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Education, to whom was referred

S. B. No. 6, A bill to be entitled "An Act creating the Center Oak Independent School District of Bell County, Texas, with certain metes and bounds; providing for the election of trustees of said school district; naming the trustees and officials and their terms of office; and caring for the present bonded indebtedness on said territory embraced in the Center Oak Consolidated Common School District, validating and providing for collection of present maintenance tax levy, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BEE, Chairman.

##### Engrossing Committee Report.

Committee Room,  
Austin, Texas, Aug. 22, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 4 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

#### FIFTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Thursday, August 23, 1917.  
The Senate met at 10 o'clock a. m.

pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Harley.
Bailey.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Robbins.
Dean.	Smith.
Dechard.	Strickland.
Floyd.	Suiter.
Hall.	Westbrook.

Absent.

Gibson.	McCollum.
Henderson.	Woodward.
Hudspeth.	

Absent—Excused.

Parr.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

#### Excused.

Senator Henderson was excused for today on account of sickness, on motion of Senator Bailey.

Senator Gibson for today and tomorrow on account of important business, on motion of Senator Bailey.

Senator Parr for today and until next Tuesday, on motion of Senator Clark.

Senator McCollum for today and until next Tuesday, on motion of Senator Johnson of Hall.

#### Messages from the Governor.

The Chair here laid before the Senate the following messages from the Governor received today.

The messages in full are as follows:

Governor's Office,  
Austin, Texas, August 22, 1917.

To the Thirty-fifth Legislature in Second Called Session:

At the request of Honorable T. T. Thompson, I hereby submit for your consideration a bill, hereto attached, being an Act creating the Johnstown